

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HUMAN SERVICES

In the Matter of the Appeal of St. Cloud
Hospital

FIRST PREHEARING ORDER

A prehearing conference was held in the above-captioned matter by telephone on June 19, 2002, at 1:30 p.m. David A. Rowley, Assistant Attorney General, 445 Minnesota Street, Suite 900, St. Paul, Minnesota 55101-2127, appeared on behalf of the Department of Human Services. Paul R. Harris and Tad Pethybridge, Attorneys at Law, Hughes Matthews, P.A., 110 Sixth Avenue South, Suite 200, P.O. Box 548, St. Cloud, Minnesota 56302-0548, appeared on behalf of the Respondent, St. Cloud Hospital.

Based upon discussions with counsel during the prehearing conference, IT IS HEREBY ORDERED as follows:

1. All discovery in this matter shall be completed by September 30, 2002.
2. All dispositive and non-dispositive motions shall be filed by October 14, 2002. Responses in opposition to such motions shall be filed by October 28, 2002, and reply briefs shall be filed by November 4, 2002.
3. Oral argument concerning motions shall be heard on November 12, 2002, at 10:00 a.m. in the courtrooms of the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota.
4. By December 16, 2002, counsel shall exchange proposed exhibit and witness lists. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits.
5. Counsel shall notify the Administrative Law Judge by December 23, 2002, whether they will require the services of a court reporter at the hearing. (One or both parties must bear the costs of a court reporter; otherwise, the hearing will be tape-recorded.)
6. The hearing in this matter will be held on Tuesday, December 31, 2002, commencing at 9:30 a.m. in the courtrooms of the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota.

7. The parties shall appear at the hearing with at least three copies of each exhibit they plan to offer into evidence. Exhibits shall be premarked using arabic numbers without designation of the party offering the exhibit.

Dated: June 24, 2002.

/s/ Barbara L. Neilson

BARBARA L. NEILSON
Administrative Law Judge